

ARTICLE XV. GATEWAY – EAST INNES

15.01 PURPOSE AND INTENT

The East Innes Street Gateway Plan is established to provide development and design standards for particular street corridors, which are in addition to underlying general and special use districts. Where noted, the standards of the Gateway Plan supersede those standards of the underlying districts.

The purpose for the Gateway Plan is to enhance the economic, functional, and aesthetic importance of significant street corridors in:

- | encouraging the development of vacant and underutilized parcels and the redevelopment of vacant or declining parcels (also known as grayfield redevelopment) to provide additional tax base while maximizing the use of existing public infrastructure;
- | contributing to the physical, social and economic well-being of the city through the provision of services and commerce -- thereby enhancing the general welfare of the citizens of the City of Salisbury;
- | reducing congestion by encouraging greater pedestrian travel in the corridor through the provision of safe and interesting pedestrian routes;
- | providing for the safe and efficient movement of vehicles;
- | defining the city's architectural, environmental and visual character; and
- | applying design standards to ensure a minimum level of quality befitting of the City of Salisbury while incentivizing compliance through reduced setback and parking requirements.

15.02 APPLICABILITY

- A. The provisions of the Gateway Plan shall be applicable to all underlying districts as shown on the Zoning Map.
- B. Development existing at the date of approval of this ordinance shall not be required to comply with the regulations contained herein, except those subject to the Non-Conforming Use provisions of Section 7.01(1) subparts (a), (b), and (c).

C. Exemptions:

The following development activities are exempt from the provisions of this Article:

1. Existing properties (existing at the date of adoption of this hardship provision) that have dimensions of less than 50 feet of frontage on East Innes Street.
2. Expansions to parking areas, with the expansion being less than 12 spaces.
3. Interior renovations that do not add square footage to an existing structure.
4. Existing buildings that have automobile pickup windows with "drive thru" routes extending within the required street yard of the Gateway Plan area shall be allowed to continue to route their drive-thru as they exist.
5. For existing buildings that are damaged due to flood, fire, or other disaster, the property owner/developers may opt out of the requirements of this Article but must comply with the existing underlying Zoning district requirements.
6. Reoccupation of an existing building after any period of vacancy.

D. Applicability Matrix: Compliance with this ordinance is required if an existing development is expanded or substantially altered by in accordance with the following applicability matrix:

	.04	.05	.06	.07	.08	.09	.10
	Streetscape	Dimensional Standards	Parking Areas	Outdoor Lighting	Site Landscaping & Screening	Building Design Standards	Signs
Parking Area Expansion							
Minor : 12-24 Spaces	☑		☑ (For new spaces only)		☑ (For new spaces only)		☑
Major: 25 or more Spaces	☑		☑ (For new spaces only)	☑	☑		☑
Existing Development							
Renovation Due to Disaster (Fire, Floor, etc)	For existing buildings that are damaged due to flood, fire, or other disaster, the property owner/developers may opt out of the requirements of this Article but must comply with the existing underlying Zoning district requirements.						
Reoccupation after Extended Vacancy	An existing building that may be vacant for any length of time does not have to come into compliance with the provisions of the Gateway Plan before it may be reoccupied.						
Exterior Renovation without Expansion	☑					☑	☑
Minor Expansion: ≤25% of total floor area	☑		☑	☑	☑	☑ (If less than 20 ft from ROW)	☑
Major Expansion: >25% of total floor area	☑	☑	☑	☑	☑	☑ (If less than 20 ft from ROW)	☑
New Construction							
New Construction on Undeveloped Site (Including Outparcels)	☑	☑	☑	☑	☑	☑	☑

☑ - Compliance with all applicable standards required

Notes:

ROW – Right of Way

Existing Development - Existing habitable buildings on a parcel

Undeveloped Site - Development of new building on a previously developed portion of the site such as a parking area, on a previously undeveloped site, or on a site that no longer contains any habitable structures.

15.03 PROHIBITED USES

The Gateway Plan permits all uses allowable in the underlying zoning district, except those uses listed as follows, which shall be prohibited:

- | accessory structures (in front or side yards)
- | adult establishments
- | automobile paint and body shops
- | automobile repair, major --automobile sales (new and used) and services
- | baseball batting cages and other similar recreation facilities
- | billboards and other off-premise signs
- | billiard or pool halls
- | car washes, if stand-alone self-service
- | car wrecker service
- | fortune tellers, palm readers, psychics, astrologers, tarot card readers, and other related uses
- | indoor shooting (firing) ranges
- | industrial uses
- | light manufacturing or processing
- | mobile home parks
- | mobile home sales
- | mobile structures, whether for residential or other purposes
- | parking lots as a principal use
- | public utilities, distribution and transmission lines, transformer stations, transmission towers, water tanks and towers
- | residential support facilities
- | rides, exhibits, and displays
- | tattoo parlors
- | tire recapping and retreading
- | wholesale and warehouse establishments
- | wireless telecommunications facilities

15.04 STREETSCAPE

Streetscape Requirements: All development shall provide the following across all street frontages:

- | 5 foot landscape strip between the curb and sidewalk (for replacement of existing sidewalk or for new construction only, otherwise the existing dimension varies throughout the Innes Street Corridor)
- | 5 foot wide sidewalk
- | 10 foot (minimum) landscape strip behind the right-of-way (within the front setback)

- ! Canopy Trees shall be planted 35 feet on-center on both sides of the sidewalk staggered every 20 feet. (Where aerial utility lines prohibit the installation of Canopy Trees, Small Maturing Trees may be substituted with permission of the City of Salisbury Land Development Services). All trees planted within the right-of-way shall require approval by NC DOT.

15.05 DIMENSIONAL STANDARDS

- A. **Minimum Lot Size:** None Required
- B. **Minimum Lot Width:** None Required
- C. **Setbacks (Minimum):**
 - Front:** 10 ft
 - Sides:** 0 (with a common partywall) or 10 ft (to accommodate a pedestrian pathway), except 10 ft on a side street
 - Rear:** 10 ft (20 ft if adjacent to residential use or residential district) *Note: Buildings shall conform with the front setback of the underlying district if the rear is adjacent to a public street.*
- D. **Accessory Structures:**
 - Side/Rear Setback:** 0 ft (10 ft if adjacent to a residential use or residential district)
- E. **Encroachments:** Canopies, awnings, bicycle parking, and outdoor seating areas may encroach into the front setback up to 8 feet.

15.06 PARKING AREAS

- A. **Minimum Parking Ratios:** All square footage is in gross floor area. Uses less than 2,500 leasable square feet are exempt from parking requirements.

Use Type	Required Parking Spaces
Residential (All types)	Exempt
Retail Uses	3.5 per 1000 square feet
Office Uses	2.5 per 1000 square feet
Theaters	1 per 3 seats
Restaurants	1 per 4 seats
Flex Warehouse/Industrial	.25 per 1000 square feet of non-office space

- B. **Bicycle Parking:** A secure bicycle rack may reduce the number of required parking spaces by one parking space for every one secure bicycle slot, though not to exceed 10% of the total number of required parking spaces in Section 15.06.A above. Bicycle parking may be placed in the front yard in accordance with Section 15.05.F.

C. Parking Area Standards:

- 1. **Setbacks:**
 - Secondary Street:** 10 feet
 - Side and Rear:** 8 feet (except 20 feet from residentially-zoned properties)

2. No off-street parking area shall be located within any front yard. Parking areas in the side yards shall be located a minimum of 10 feet behind the frontage line of the building.
 3. Parking lots in the side yard shall not occupy more than 35% of the width of the lot along the primary street.
- D. Connectivity:** Adjacent lots should be interconnected except in the case of existing steep topography between the sites. Each parking area that is interconnected may reduce their minimum parking requirement by 5%.
- E. Surface parking:** No surface parking or circulation driveway is permitted within any required or established setback, except that driveways providing access to the parking area may be installed across these areas. It is the intent that these driveways be as nearly perpendicular to the street right-of-way as possible.
- F. Circulation Drives:** A circulation drive may be permitted around the front of the building but may not encroach into the front setback or any required landscape area. If provided, this drive shall be designed to be the minimal width required (not to exceed 10 feet in width) and shall be constructed using alternative paving treatments such as pavers or stamped concrete.
- G. Curbing Required:** All parking areas and circulation drives shall be curbed using a vertical curb with a minimum width of 1'6". Landscape islands and areas shall be similarly curbed to protect vegetation.

15.07 OUTDOOR LIGHTING STANDARDS

The purpose of this Section is to provide direction in controlling light spillage and glare so as not to adversely affect motorists, pedestrians, and land uses of adjacent properties. Lighting intensities should be controlled to assure that excessive light spillage and glare are not directed at adjacent properties, neighboring areas, and motorists.

- A. Light fixtures (not attached to buildings) shall be affixed to a decorative pole, which may be of metal, fiberglass, or concrete. No wooden poles shall be allowed.
- B. All fixtures shall be either semi-cutoff or full-cutoff fixtures only.
- C. The maximum height of the light source (light bulb), detached from a building, shall be 20 feet.
- D. No fixture shall be located within 20 feet of a residentially zoned property.
- E. Light fixtures shall be served by underground wiring.
- F. Gas Station/Convenience Store Aprons and Canopies:
 1. The lighting fixture bulbs shall be recessed into a canopy ceiling so that the bottom of the fixture is flush with the ceiling so that light is restrained to no more than 85 degrees from vertical.
 2. As an alternative to recessed ceiling lights, indirect lighting may be used where the light is directed upward and then reflected down from the underside of the canopy. In this case, light fixtures shall be shielded so that direct illumination is focused exclusively on the underside of the canopy.
 3. Lights shall not be mounted on the top or sides (facia) of the canopy, and the sides of the canopy shall not be externally illuminated.

4. The lighting for new facilities (pump islands and under canopies) shall not exceed the average horizontal illumination of 10 foot-candles at grade level. These standards are based on the IESNA (Illuminating Engineering Society of North America) RP-33, Lighting for Exterior Environments.
- G. Floodlights, spotlights or any other similar lighting shall not be used to illuminate buildings or other site features unless approved as an integral architectural element on the development plan. On-site lighting may be used to accent architectural elements and not be used to illuminate entire portions of building(s). Floodlights or other type of lighting attached to light poles that illuminate the site and/or building(s) are prohibited.
- H. Outdoor Illumination of Building, Landscaping and Signs:
1. Exterior lighting should be integrated with the architectural character of the building. To avoid light spillage, only semi-cutoff, cutoff, or full cutoff fixtures shall be used.
 2. The unshielded outdoor illumination of any building or landscaping is prohibited.
 3. Lighting fixtures used to illuminate an outdoor advertising sign either shall be by directed ground lighting sign or mounted on the top of the sign, and shall comply with shielding requirements.
- I. Wall Packs on buildings may be used in locations such as rear service doors and loading bays. They are not intended to draw attention to the building or provide general building or site-lighting. Wall Packs on the exterior of the building shall be fully shielded (true cut-off type-bulb or light source not visible from off-site) to direct the light downward and be of low wattage (100 watts or lower). Other accent lighting projected onto buildings may be allowed provided that 100% of the beam is focused on the building.

15.08 SITE LANDSCAPING/SCREENING

Site landscaping and screening shall meet the following standards:

A. Planting Standards

1. No shrub greater than three feet in height shall be maintained within a sight triangle.
2. Shade trees shall be a minimum of three-inch caliper at time of planting. Ornamental trees shall be a minimum of eight feet in height at time of planting.
3. Plant materials shall be selected and installed in accordance with Article X - Landscaping Regulations.

B. Vegetation Point System

<u><i>Vegetation Type</i></u>	<u><i>Points</i></u>
<i>Shade Tree</i>	<i>12</i>
<i>Ornamental Tree</i>	<i>6</i>
<i>Large Shrub</i>	<i>3</i>
<i>Medium Shrub</i>	<i>2</i>
<i>Small Shrub</i>	<i>1</i>

C. Street Yard

1. **Minimum Street Yard Width:** 10 feet
2. **Required Plantings:**
Shade: 1 per 35 linear feet

– or –

Ornamental: 1 per 25 linear feet (only permitted if present under existing overhead utilities)

D. Screen/Buffer Yards for yards between Commercial and Residential Lots

1. Minimum Planting Yard Width: 20 feet

2. Required Plantings:

Shade: 1 per 50 linear feet (May also count towards requirements for F below)

Ornamental: 1 per 75 linear feet

Required Points per linear foot: 0.72

Note: The plantings chosen must include a 6 foot fence, wall, or densely planted vegetation a minimum of 6 feet in height that would provide a complete visual separation within 3 years of planting.

E. Planting Yard for yards between adjacent Commercial Lots

1. Minimum Planting Yard Width: 8 feet

2. Required Plantings:

Shade: not required, but may be used in place of ornamental

Ornamental: 1 per 100 linear feet

Required Points per Linear Foot: 0.4*

**Minimum width and points required may be eliminated in areas where side building setbacks supercede and where parking lots connect.*

F. Parking Lot Shade Trees

1. Maximum Distance from a Parking Space to a Shade Tree Trunk: 60 feet

2. Required Plantings: 1 Shade Tree per 12 spaces

3. Planting Island Requirements: Required trees shall be located within or adjacent to parking lots as tree islands, medians, at the end of parking bays, traffic delineators, or between rows or parking spaces. The minimum planting area for Parking Lot Shade Trees shall be 81 square feet with a minimum inside dimension of nine (9) feet and a minimum prepared depth of 18 inches.

G. Screening around Parking Areas Visible from Street

Parking areas located in the front or side yard shall have the portion of the lot that fronts the street screened up to a height of 4 feet using shrubs, brick walls (using brick that matches the adjacent building), wrought iron fencing, or any combination thereof. There shall be no openings in the screening greater than 2 feet (4 feet for a pedestrian pathway). If landscaping is used, the minimum planting area width shall not be less than 4 feet.

H. Equipment/Dumpster Screening

1. Dumpsters or trash handling areas shall always be screened from adjacent properties and from public view, with a minimum six (6) foot high solid fence or wall using materials similar in appearance and durability as the principal structure. All such areas shall have a solid and closeable gate. Dumpsters shall not be allowed in any required setback or yard space.

2. Mechanical equipment at ground level shall be placed on the parking lot side of the building and away from buildings on adjacent sides. It shall be screened from the public street by walls, fencing and/or landscaping. Mechanical equipment on rooftops shall be screened from the view of the public street.

15.09 BUILDING DESIGN STANDARDS

- A. Street Walls:** The first floors of all buildings shall be designed to encourage and complement pedestrian-style interest and activity by incorporating the following elements:
1. The first floor of all buildings fronting directly on a street shall include transparent windows and doors arranged so that the uses inside are visible from and/or accessible to the street on at least 40 percent of the length of the first floor building elevation along the first floor street frontage.
 2. Expanses of blank walls may not exceed 20 feet in length. (A "blank wall" is a facade that does not contain transparent windows or doors.)
 3. Window dimensions:
 - a. Maximum Sill Height (1st Floor): 42 inches
(*as measured from the finished floor elevation*)
 - b. Minimum Area: 16 sq ft
 - c. Minimum Width: 3 feet
 - d. Minimum Height: 4 feet
 4. Ventilation grates or emergency exit doors located at the first floor level in the building facade, which are oriented to any public street, shall be decorative.
- B. Building Entrances:** A primary entrance facade shall be oriented toward the street, be designed for the pedestrian, and be distinguishable from the rest of the building. Such entrances shall provide a sense of entry and add variety to the streetscape. Additional entrances may be oriented toward side or rear parking lots. Service entrances for shipping and receiving shall be oriented away from the public street.
- C. Underground wiring:** To reduce the visual impact of overhead wiring, utility services shall be located underground.
- D. Type of Construction:** Manufactured, mobile, and metal units shall be prohibited, except as may be allowed in Section 12.14 for a temporary office, site management, or storage uses during construction projects. The use of vinyl siding or unpainted cinder-block walls shall be prohibited, but the use of decorative, split-faced masonry products is permissible.
- E. Roof Pitch:** Roof pitches less than 3/12 and flat roofs will require a parapet wall. A pitched roof shall be profiled by eaves a minimum of 6 inches from the building face or with a gutter.
- F. Decorative Elements:** Decorative elements, such as statues, fountains, and works of art are encouraged, and may encroach into the setback area a maximum of eight (8) feet.
- G. Façade Treatment**
1. Architectural elements like windows and doors, bulkheads, masonry piers, transoms, cornice lines, window hoods, awnings, canopies, and other similar details shall be used on all facades facing public rights-of-way.
 2. Building wall offsets, including projections, recesses, and changes in floor level shall be used in order to: add architectural interest and variety; relieve the visual effect of a single, long wall; and subdivide the wall into human size proportions. Similarly, roofline offsets should be provided to lend architectural interest and variety to the massing of a building and to relieve the effect of a single, long roof.

3. The ground level of the building must offer pedestrian interest along sidewalks and paths. This includes windows, entrances, and architectural details. Incidental signage on buildings (in accordance with Article IX), awnings, and ornamentation are encouraged.

15.10 SIGNAGE

- A. Signage in the Gateway Plan area shall comply with the requirements of Article IX-Signs.
- B. **Non-Conforming Signs To Be Removed:** Non-conforming on-premise signs, in accordance with Section 9.10, shall be removed within 5 ½ years of the effective date of this Article. (Effective Date September 2, 2003)

15.11 ALTERNATE METHODS OF COMPLIANCE

- A. **Use of Alternate Plan, Material, or Methods:**
Alternate design plans, building materials or construction techniques may be used when unreasonable or impractical situations would result from the application of architectural design standards. Such situations may result from unique site conditions, innovative design applications, and / or unified development design.
- B. **Approval of Alternate Design:**
The Staff Review Committee, as designated by the Director of Land Management & Development may approve an alternate plan which proposes different design standards, building materials or construction materials provided that quality, effectiveness, durability and performance are equivalent to that required by this ordinance.
- C. **Evaluation by Staff Review Committee:**
The performance of alternate design standards shall be evaluated by the Staff Review Committee to determine if the alternate design meets the intent and purpose of this ordinance. This determination shall take into account the land use of adjacent property, the orientation of the building to public streets, the building typology, the intended use of the structure, attention to architectural detail, scale and mass.
- D. **Appeal:**
Decisions of the Staff Review Committee regarding alternate methods of compliance may be appealed to the Board of Adjustment.

(Ord. No. 2003-57)